

House concurred in Senate amendments to H.B. No. 1691 on May 19, 2017: Yeas 139, Nays 0, 1 present, not voting, the House adopted H.C.R. No. 146 authorizing certain corrections in H.B. No. 1691 on May 21, 2017: Yeas 140, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 16, 2017: Yeas 30, Nays 0, the Senate adopted H.C.R. No. 146 authorizing certain corrections in H.B. No. 1691 on May 28, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

**ESTABLISHMENT OF THE COMMERCIAL LICENSE
BUYBACK ACCOUNT MANAGED BY THE PARKS AND
WILDLIFE DEPARTMENT**

CHAPTER 1034

H.B. No. 1724

AN ACT

relating to the establishment of the commercial license buyback account managed by the Parks and Wildlife Department.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 11.032(b), Parks and Wildlife Code, is amended to read as follows:

(b) The department shall deposit to the credit of the game, fish, and water safety account all revenue, less allowable costs, from the following sources:

(1) all types of fishing licenses and stamps and shrimping licenses~~[-except as provided by Section 77.120];~~

(2) all types of hunting licenses and stamps;

(3) trapping licenses and other licenses relating to the taking, propagation, and sale of fur-bearing animals or their pelts;

(4) sale of marl, sand, gravel, shell, and mudshell;

(5) oyster bed rentals and permits;

(6) federal funds received for fish and wildlife research, management, development and conservation, resource protection, and law enforcement, unless the funds are received for the specific purposes of Subchapter F, Chapter 77;

(7) sale of property, less advertising costs, purchased from this account or a special fund or account that is now part of this account;

(8) fines and penalties collected for violations of a law pertaining to the protection and conservation of wild birds, wild fowl, wild animals, fish, shrimp, oysters, game birds and animals, fur-bearing animals, alligators, and any other wildlife resources of this state;

(9) sale of rough fish by the department;

(10) fees for importation permits;

(11) fees from supplying fish for or placing fish in water located on private property;

(12) sale of seized pelts;

(13) sale or lease of grazing rights to and the products from game preserves, sanctuaries, and management areas;

(14) contracts for the removal of fur-bearing animals and reptiles from wildlife management areas;

- (15) vessel registration fees;
- (16) vessel manufacturer or dealer licensing fees;
- (17) fines or penalties imposed by a court for violation of water safety laws contained in Chapter 31 of this code;
- (18) alligator hunter's or alligator buyer's licenses;
- (19) sale of alligators or any part of an alligator by the department;
- (20) fees and revenue collected under Section 11.027(b) or (c) of this code that are associated with the conservation of fish and wildlife;
- (21) any other source provided by law; and
- (22) vessel and outboard motor titling fees.

SECTION 2. Subchapter B, Chapter 47, Parks and Wildlife Code, is amended by adding Section 47.041 to read as follows:

Sec. 47.041. COMMERCIAL LICENSE BUYBACK SUBACCOUNT. (a) The commercial license buyback subaccount is a subaccount in the game, fish, and water safety account. The subaccount consists of money deposited to the subaccount under this section.

(b) The department shall deposit to the credit of the commercial license buyback subaccount revenue from the following sources:

- (1) revenue set aside under Section 47.081(d);*
- (2) revenue set aside under Section 78.111(d);*
- (3) a fee collected under Section 77.115;*
- (4) \$25 of each wholesale fish dealer's license issued under Section 47.009;*
- (5) \$25 of each wholesale truck dealer's fish license issued under Section 47.010;*
- (6) \$6 of each retail fish dealer's license issued under Section 47.011;*
- (7) \$11 of each retail dealer's truck license issued under Section 47.013;*
- (8) \$25 of each commercial bay shrimp boat license issued under Section 77.031;*
- (9) \$25 of each commercial bait-shrimp boat license issued under Section 77.033;*
- (10) \$25 of each commercial gulf shrimp boat license issued under Section 77.035;*
- (11) \$15 of each bait-shrimp dealer's license issued under Section 77.043; and*
- (12) revenue from any other source authorized by law.*

(c) The department may accept grants and donations of money or materials from private or public sources to be applied to the commercial license buyback subaccount.

(d) Money in the commercial license buyback subaccount may be used only to buy back a commercial license from a willing license holder.

(e) The commercial license buyback subaccount is not subject to Section 403.095, Government Code.

SECTION 3. Section 47.081(d), Parks and Wildlife Code, is amended to read as follows:

(d) The department shall set aside at least 20 percent of the fees from licenses issued and license transfers approved under this subchapter ~~[to be used only for the purpose of buying back those licenses from a willing license holder]~~. That money shall be sent to the comptroller for deposit to the credit of the commercial license buyback subaccount in the game, fish, and water safety account.

SECTION 4. Section 78.111(d), Parks and Wildlife Code, is amended to read as follows:

(d) The department shall set aside at least 20 percent of the fee from commercial crab licenses and transfer fees ~~[to be used only for the purpose of buying back commercial crab licenses from a willing license holder]~~. That money shall be sent to the comptroller

for deposit to the credit of the *commercial license buyback subaccount in the game, fish, and water safety account*.

SECTION 5. The following provisions of the Parks and Wildlife Code are repealed:

- (1) Sections 47.081(e) and (f);
- (2) Section 77.120; and
- (3) Sections 78.111(e) and (f).

SECTION 6. On September 1, 2017, the shrimp license buyback account is abolished and the comptroller of public accounts shall transfer the unencumbered balance of the account to the commercial license buyback subaccount created under Section 47.041, Parks and Wildlife Code, as added by this Act.

SECTION 7. This Act takes effect September 1, 2017.

Passed by the House on May 11, 2017: Yeas 141, Nays 4, 1 present, not voting; passed by the Senate on May 22, 2017: Yeas 29, Nays 1.

Approved June 15, 2017.

Effective September 1, 2017.

ISSUANCE OF CERTAIN SEARCH WARRANTS

CHAPTER 1035

H.B. No. 1727

AN ACT

relating to the issuance of certain search warrants.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 18.01(i), Code of Criminal Procedure, is amended to read as follows:

(i) In a county that does not have a *municipal court of record with a courtroom located in that county and a judge* ~~[of a municipal court of record]~~ who is an attorney licensed by the state, a county court judge who is an attorney licensed by the state, or a statutory county court judge, any magistrate may issue a search warrant under ~~[Subdivision (10) or Subdivision (12) of Article 18.02(a)(10) or (12) [18.02 of this code].~~ This subsection is not applicable to a subsequent search warrant under ~~[Subdivision (10) of Article 18.02(a)(10) [18.02 of this code].~~

SECTION 2. The change in law made by this Act applies only to a search warrant issued on or after the effective date of this Act. A search warrant issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 27, 2017: Yeas 144, Nays 0, 3 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.